

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO: 21858-AG22-1215-209

IN THE MATTER OF:)

Tom Lemmen)
1001 70th Place)
Schererville, IN 46375)

Respondent.)

Type of Agency Action: Enforcement)

License Number: 829737)

FILED

APR 05 2023

STATE OF INDIANA
DEPT. OF INSURANCE

ADMINISTRATIVE ORDER AND
NOTICE OF NONRENEWAL OF LICENSE

The Indiana Department of Insurance ("Department"), pursuant to the Indiana Administrative Orders and Procedures Act, Indiana Code § 4-21.5-1 *et seq.*, and Indiana Code § 27-1-15.6-12, hereby gives notice to Tom Lemmen ("Respondent") of the following Administrative Order:


1. Respondent was a licensed resident insurance producer holding license number 829737 ("Respondent's license") since July 20, 2012.
2. Respondent's license expired on November 30, 2022.
3. On or around September 15, 2022, Respondent was terminated for cause by S. USA Life Insurance Company for submitting fraudulent applications Indiana.
4. On or around November 7, 2022, Respondent was terminated for cause by American-Amicable Life Insurance Company of Texas for using dishonest practices in the conduct of business in Indiana.

5. Respondent submitted fraudulent application in Indiana, including submitting application on deceased individuals and using bank accounts not associated with applicants to pay premiums on suspected “fronting” policies.
6. S.USA Life Insurance Company has a pending lawsuit against Respondent in the United States District Court, Northern District of Indiana Hammond Division.
7. American-Amicable Life Insurance Company discovered, as part of ongoing investigation, Respondent had several drafts returned for reasons including no funds, canceled bank account, and frozen bank account.
8. Respondent has pending investigations with the Indiana Department of Insurance due to new complaints being filed by consumers.
9. Indiana Code § 27-1-15.6-12(b)(8) states, in part, that the Commissioner may refuse to renew an insurance producer license for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Indiana or elsewhere.
10. Indiana Code § 27-1-15.6-12(b)(10) states, in part, that the Commissioner may refuse to renew an insurance producer license for forging another’s name to an application for insurance or to any document related to an insurance transaction.
11. Indiana Code § 27-1-15.6-12(b)(2)(A) states, in part, that the Commissioner may refuse to renew an insurance producer license for violating an insurance law.
12. Indiana Code § 27-1-15.6-12(d) provides that when the Commissioner refuses to renew a license, the Commissioner shall notify the Respondent, in writing, of the reasons for the nonrenewal. This Order serves as that notice.

13. The Commissioner further notifies Respondent that, pursuant to Indiana Code § 27-1-15.6-12(d), Respondent may, within sixty-three (63) days of the mailing of this Order, make a written demand upon the Commissioner for a hearing to determine the reasonableness of this action. Such a hearing shall be held within thirty (30) days from the date of receipt of Respondent's written demand.
14. This is considered an agency action. This action has been initiated by the aforementioned authority. If you choose to appeal this agency action, the State of Indiana Office of Administrative Law Proceedings ("OALP") will assign an administrative law judge to preside over this matter, and subsequently you will be contacted by the OALP with more information to begin the administrative process.

WHEREFORE, based on the foregoing, the Commissioner of Insurance hereby notifies Respondent that **Respondent's license shall not be renewed** due to the nature of Respondent's termination for cause, which involved dishonest practices, and for Respondent's failure to timely report an administrative action.

04.05.2023
Date Signed



Amy L. Beard, Commissioner
Indiana Department of Insurance

Distribution:

Tom Lemmen
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